

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS DART, SHERIFF OF )  
COOK COUNTY, )  
Plaintiff ) Judge John F. Grady  
v. ) Magistrate Judge Nan R. Nolan  
CRAIGSLIST, INC. ) Case No. 09 CV 1385  
Defendant. )

**CRAIGSLIST'S INITIAL RESPONSE TO MOTION BY NON-PARTY TO APPEAR  
PRO HAC VICE AND MOTION TO STRIKE APPEARANCE OF NONPARTY**

Defendant craigslist, Inc. ("craigslist") respectfully provides its initial response to the motion by non-party The Coalition Against Trafficking in Women ("CATW") for leave to appear *pro hac vice*. craigslist also respectfully moves to strike the additional appearance filed by Plaintiff Dart's counsel on behalf of non-party CATW. craigslist states as follows.

1. CATW is not a party to this case. CATW has not sought leave to intervene or filed any other petition with the Court. It is unclear what standing, if any, an organization such as CATW would have to appear in Plaintiff Dart's lawsuit. Nonetheless, on July 6, 2009, Plaintiff Dart's lead counsel filed an appearance in this action on behalf of non-party CATW and also filed a motion on behalf of two CATW attorneys to appear *pro hac vice* in this matter on behalf of non-party CATW. Copies of these submissions are attached as Exhibit 1.

2. LR5.6. (Filing Documents by Non-parties) provides that:

No pleading, motion [except for motion to intervene], or other document shall be filed in any case by any person who is not a party thereto, unless approved by the court. Absent such an order, the clerk shall not accept any document tendered by a person who is not a party. Should any such document be accepted inadvertently or by mistake in the absence of such an order, it may be stricken by the court on its own motion and without notice.

3. Pursuant to LR5.6, both CATW's motion for leave to appear *pro hac vice* and the separate appearance of Plaintiff Dart's lead counsel as counsel for CATW should be stricken.

4. To the extent CATW ultimately plans to seek leave to file a brief in this matter as an *amicus curiae*, that matter should be addressed though an appropriate motion and not a motion to appear *pro hac vice*. To the extent the Court is guided by Fed.R.App.P. 29, any motion for leave to file an *amicus* brief should be accompanied by the proposed brief, as well as a statement of the movant's interest and the "reasons why an amicus brief is desirable and why the matters asserted are relevant to the disposition of the case." Fed.R.App.P. 29(b). craigslist respectfully reserves all objections with respect to any such motion.

WHEREFORE, for the foregoing reasons, craigslist respectfully requests that this Court strike both the appearance by Daniel F. Gallagher on behalf of non-party CATW and CATW's motion for leave to appear *pro hac vice*, and provide such other relief as is just.

DATED: July 10, 2009

Respectfully submitted,

CRAIGSLIST, INC.

By: \_\_\_\_\_ s/ Eric D. Brandfonbrener \_\_\_\_\_

Eric D. Brandfonbrener  
Kathleen A. Stetsko  
PERKINS COIE LLP  
131 S. Dearborn, Suite 1700  
Chicago, IL 60603  
Tel: (312) 324-8400

Patrick J. Carome  
WILMER CUTLER PICKERING HALE AND DORR LLP  
1875 Pennsylvania Ave., NW  
Washington, DC 20006  
Tel: (202) 663-6000

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that on July 10, 2009, he caused a true and correct copy of **CRAIGSLIST'S INITIAL RESPONSE TO MOTION BY NON-PARTY TO APPEAR PRO HAC VICE AND MOTION TO STRIKE APPEARANCE OF NONPARTY** to be served through the Court's electronic system on:

Daniel F. Gallagher  
Paul O'Grady  
Christopher P. Keleher  
Querrey & Harrow, Ltd.  
Suite 1600  
175 W. Jackson Blvd.  
Chicago, Illinois 60604

s/ Eric D. Brandfonbrener

# **EXHIBIT 1**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

**NOTE:** In order to appear before this Court an attorney must either be a member in good standing of this Court's general bar or be granted leave to appear *pro hac vice* as provided for by Local Rules 83.12 through 83.14

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In the Matter of

Case

**THOMAS DART, SHERIFF OF COOK COUNTY**

**Plaintiff,**

**Case No. 09 CV 1385**

v.

**Judge Grady**

**CRAIGSLIST, INC.,**

**Defendant.**

AN APPEARANCE IS HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY FOR:  
**The Coalition Against Trafficking in Women (CATW), as amicus curiae**

<b>SIGNATURE</b>		
s/Daniel F. Gallagher		
<b>FIRM</b>		
Querrey & Harrow, Ltd.		
<b>STREET ADDRESS</b>		
175 West Jackson Boulevard, Suite 1600		
<b>CITY/STATE/ZIP</b>		
Chicago, IL 60604		
<b>ID NUMBER (SEE ITEM 3 IN INSTRUCTIONS)</b> 905305	<b>TELEPHONE NUMBER</b> 312/540-7000	
<b>ARE YOU ACTING AS LEAD COUNSEL IN THIS CASE?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
<b>ARE YOU ACTING AS LOCAL COUNSEL IN THIS CASE?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
<b>ARE YOU A MEMBER OF THIS COURT'S TRIAL BAR?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
<b>IF THIS CASE REACHES TRIAL, WILL YOU ACT AS THE TRIAL ATTORNEY?</b>		
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
<b>IF THIS IS A CRIMINAL CASE, CHECK THE BOX BELOW THAT DESCRIBES YOUR STATUS.</b>		
<b>RETAINED COUNSEL</b>	<b>APPOINTED COUNSEL</b>	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS DART, SHERIFF OF COOK COUNTY

Plaintiff,

v.

CRAIGSLIST, INC.,

Case No. 09 CV 1385

Judge Grady

Defendant.

**NOTICE OF MOTION**

To: All Counsel of Record  
(See attached Service List)

PLEASE TAKE NOTICE that on **July 16, 2009 at 11:00 a.m.**, or as soon thereafter as counsel may be heard, I shall appear before the **Honorable Judge John Grady** or any Judge sitting in his stead, in **Room 2201** or the courtroom usually occupied by him in the U.S. District Courthouse, Northern District of Illinois, Eastern Division at Chicago, 219 South Dearborn Street, Chicago, Illinois, and shall then and there move the Court in accordance with the attached **Motions for Leave to Appear Pro Hac Vice for Alexander Yanos and Ruth Teitelbaum**.

Name	QUERREY & HARROW, LTD.
Attorney for defendant	<b>The Coalition Against Trafficking in Women (CATW), as amicus curiae</b>
Address	175 W. JACKSON BLVD., Suite 1600
City	Chicago, Illinois 60604
Telephone	(312) 540-7000

**PROOF OF SERVICE**

I, Daniel F. Gallagher, depose and state that I served this Notice of Filing, together with the documents herein referred, to the above-named party attorney(s) pursuant to ECF and shall comply with L.R.5.5 as to any party who is not a Filing User or represented by a Filing User on July 6, 2009.

s/ Daniel F. Gallagher

[X] Under penalties as provided by law pursuant  
to Ill. Rev. Stat., ch. 110, Sect. 1-109, I  
certify that the statements set forth herein  
are true and correct.

*Sheriff of Cook County v. Craigslist, Inc.*  
Case No. 09 C 1385  
Our File No. 38440

**SERVICE LIST**

Eric D. Brandfonbrener  
Perkins Coie LLC  
131 S. Dearborn  
Suite 1700  
Chicago , IL 60603-5559  
(312) 324-8400  
(312) 324-9602  
Email: ebrand@perkinscoie.com  
*Attorney for Defendant*

(Revised 06/08)

**United States District Court Northern District of Illinois**  
**MOTION FOR LEAVE TO APPEAR PRO HAC VICE**

Case Title:	Thomas Dart, Sheriff of Cook County	Plaintiff(s)
VS.		
Craigslist, Inc.		Defendant(s)
Case Number: 09CV 1385		Judge: Judge Grady

I, \_\_\_\_\_ Ruth M Teitelbaum hereby apply to the Court

under Local Rule 83.14 for permission to appear and participate in the above-entitled action on behalf of

The Coalition Against Trafficking in Women (CATW) by whom I have been retained.

I am a member in good standing and eligible to practice before the following courts:

Title of Court	Date Admitted
District of Columbia Court of Appeals	12/04/2000
Superior Court of Connecticut	10/12/2000

I have currently, or within the year preceding the date of this application, made pro hac vice applications to this Court in the following actions:

Case Number	Case Title	Date of Application (Granted or Denied)*

\*If denied, please explain:

(Attach additional form if necessary)

Pursuant to Local Rule 83.15(a), applicants who do not have an office within the Northern District of Illinois must designate, at the time of filing their initial notice or pleading, a member of the bar of this Court having an office within this District upon whom service of papers may be made.

Has the applicant designated local counsel? Yes  No

If you have not designated local counsel, Local Rule 83.15(b) provides that the designation must be made within thirty (30) days.

Has the applicant ever been:

**censured, suspended, disbarred, or otherwise disciplined by any court?**

Yes  No

**or is the applicant currently the subject of an investigation of the applicant's professional conduct?**

Yes  No

**transferred to inactive status, voluntarily withdrawn, or resigned from the bar of any court?**

Yes  No

**denied admission to the bar of any court?**

Yes  No

**held in contempt of court?**

Yes  No

**NOTE:** If the answer to *any* of the above questions is yes, please attach a brief description of the incident(s) and the applicant's current status before any court, or any agency thereof, where disciplinary sanctions were imposed, or where an investigation or investigations of the applicant's conduct may have been instituted.

I have read the Rules of Professional Conduct for the Northern District of Illinois, effective November 12, 1991 (Local Rules 83.50 through 83.58), and the Standards for Professional Conduct within the Seventh Federal Judicial Circuit, effective December 15, 1992, and will faithfully adhere to them. I declare under penalty of perjury that the foregoing is true and correct.

06/16/2009

S/ Ruth Teitelbaum

Date

Electronic Signature of Applicant

Applicant's Name	Last Name Teitelbaum	First Name Ruth	Middle Name/Initial M
Applicant's Law Firm	Freshfields Bruckhaus Deringer US LLP		
Applicant's Address	Street Address 520 Madison Ave		
	City New York	State NY	ZIP Code 10022
			Work Phone Number (212) 284-4971

(The pro hac vice admission fee is \$100.00 for cases filed before February 1, 2001, and \$50.00 for cases filed on or after that date, and shall be paid to the Clerk. No admission under Rule 83.14 is effective until such time as the fee has been paid.)

**NOTE:** Attorneys seeking to appear pro hac vice may wish to consider filing a petition for admission to the general bar of the Court. The fee for admission to the General Bar is \$150.00. The fee for pro hac vice admission is \$100.00 for cases filed before February 1, 2001, and \$50.00 for cases filed on or after that date. Admission to the general bar permits an attorney to practice before this Court. Pro hac vice admission entitles an attorney to appear in a particular case only. Application for such admission must be made in each case; and the admission fee must be paid in each case.

(Revised 06/08)

**United States District Court Northern District of Illinois**  
**MOTION FOR LEAVE TO APPEAR PRO HAC VICE**

Case Title:	THOMAS DART, SHERIFF OF COOK COUNTY	Plaintiff(s)
VS.		
CRAIGSLIST, INC.		Defendant(s)
Case Number: Case No. 09 CV 1385		Judge: Judge John F. Grady

I, Alexander A. Yanos hereby apply to the Court

under Local Rule 83.14 for permission to appear and participate in the above-entitled action on behalf of

The Coalition Against Trafficking in Women by whom I have been retained.

I am a member in good standing and eligible to practice before the following courts:

Title of Court	Date Admitted
New York (1st Dep't)	11/20/1995
Southern District of New York	05/28/1996
Northern District of New York	02/25/1999

I have currently, or within the year preceding the date of this application, made pro hac vice applications to this Court in the following actions:

Case Number	Case Title	Date of Application (Granted or Denied)*

\*If denied, please explain:  
 (Attach additional form if  
 necessary)

Pursuant to Local Rule 83.15(a), applicants who do not have an office within the Northern District of Illinois must designate, at the time of filing their initial notice or pleading, a member of the bar of this Court having an office within this District upon who service of papers may be made.

Has the applicant designated local counsel? Yes  No

If you have not designated local counsel, Local Rule 83.15(b) provides that the designation must be made within thirty (30) days.

Has the applicant ever been:

**censured, suspended, disbarred, or otherwise disciplined by any court?**

Yes

No

**or is the applicant currently the subject of an investigation of the applicant's professional conduct?**

Yes

No

**transferred to inactive status, voluntarily withdrawn, or resigned from the bar of any court?**

Yes

No

**denied admission to the bar of any court?**

Yes

No

**held in contempt of court?**

Yes

No

**NOTE:** If the answer to *any* of the above questions is yes, please attach a brief description of the incident(s) and the applicant's current status before any court, or any agency thereof, where disciplinary sanctions were imposed, or where an investigation or investigations of the applicant's conduct may have been instituted.

I have read the Rules of Professional Conduct for the Northern District of Illinois, effective November 12, 1991 (Local Rules 83.50 through 83.58), and the Standards for Professional Conduct within the Seventh Federal Judicial Circuit, effective December 15, 1992, and will faithfully adhere to them. I declare under penalty of perjury that the foregoing is true and correct.

June 8, 2009

S/ Alexander A. Yanos

Date

Electronic Signature of Applicant

Applicant's Name	Last Name Yanos	First Name Alexander	Middle Name/Initial A
Applicant's Law Firm	Freshfields Bruckhaus Deringer US LLP		
Applicant's Address	Street Address 520 Madison Ave		Room/Suite Number Floor 34
	City New York	State NY	ZIP Code 10022
	Work Phone Number (212) 284-4918		

(The pro hac vice admission fee is \$100.00 for cases filed before February 1, 2001, and \$50.00 for cases filed on or after that date, and shall be paid to the Clerk. No admission under Rule 83.14 is effective until such time as the fee has been paid.)

**NOTE:** Attorneys seeking to appear pro hac vice may wish to consider filing a petition for admission to the general bar of the Court. The fee for admission to the General Bar is \$150.00. The fee for pro hac vice admission is \$100.00 for cases filed before February 1, 2001, and \$50.00 for cases filed on or after that date. Admission to the general bar permits an attorney to practice before this Court. Pro hac vice admission entitles an attorney to appear in a particular case only. Application for such admission must be made in each case; and the admission fee must be paid in each case.